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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,240	02/26/2002	Reijo Romppanen	1154.41166X00	4045
20457	7590	08/11/2004	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			NGUYEN, JOSEPH D	
			ART UNIT	PAPER NUMBER
			2683	
DATE MAILED: 08/11/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,240

Applicant(s)

ROMPPANEN, REIJO

Examiner

Joseph D Nguyen

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-13 are rejected under 35 U.S.C. 102(a) as being anticipated by Bolon et al. (5,822,420).

Regarding claim 1, Bolon et al. discloses a method for clearing an overload situation in a telecommunication system (abstract, fig. 2) comprising:

a) a first network element (LE) (#28 fig. 2);
b) a second network element (AN) (#26 fig. 2);
c) subscriber ports (1 ; 11 , 12 , 13, . . .) comprised in said network elements (LE, AN) (fig. 3, col. 12 lines 38-44); and

d) an interface (V5) connecting the subscriber ports of the first network element (LE) to the subscriber ports of the second network element (AN) (#28 fig. 3, col. 3 lines 54-65),

in which telecommunication system:

e) a subscriber's call attempt is transmitted by the second network element (AN) to the first network element (LE) (fig. 2-3, col. 5 lines 4-67);

Art Unit: 2683

f) it is detected that the signaling channel between the network elements (LE, AN) and/or the first network element (LE) are/is overloaded (congestion/ failure) (abstract, col. 11 lines 1-25);

g) the subscriber's call attempt is inhibited (rejected) in the first network element (LE) (col. 5 lines 4-48);

h) characterized in that the method comprises the steps of:

causing a notice advising that the subscriber's call attempt is to be inhibited in the second network element (AN) to be sent by the first network element (LE) to the second network element (AN) (fig. 6-9, col. 5 line 4-48); and

i) inhibiting the subscriber's call attempt in the second network element (AN) (when there is no air channel or ds0 is available, the AN 26 rejects the call in accordance with these protocols which means the second network element inhibiting the call attempt) (fig. 6-9, col. 2 lines 15-47, and, col. 5 line 4-48).

Regarding claim 2, Bolon et al. further discloses method as defined in claim 1, characterized in that the subscriber's call attempt is inhibited (call is rejected) in the second network element (AN) during a period of time prescribed by the first network element (LE) (fig. 6, col. 5 lines 21-48).

Regarding claim 3, Bolon et al. further discloses method as defined in claim 2, characterized in that the inhibition of the subscriber's call attempt in the second network element (AN) is cancelled if the overload situation in the signaling channel and/or first network element (LE) is cleared (when the channels are available and the call is

allowed in progress which means the inhibition is cancelled) (fig. 6, and 20, col. 5 line 4 thru col. 6 line 33).

Regarding claim 4, Bolon et al. further discloses Method as defined in claim 3, wherein the inhibition of the subscriber's call attempt in the second network element (AN) is cancelled even if the period of time prescribed by the first network element (LE) has not yet elapsed (when the channels are available and the call is in progress of connection in the predetermine period of time which means the inhibition is cancelled before the time period is elapsed) (fig. 6, and 20, col. 5 line 4 thru col. 6 line 33).

Regarding claim 5, Bolon et al. further discloses method as defined in claim 4., wherein a priority class analysis regarding the subscriber is performed in the first network element (LE) (fig. 6, col. col. 6 lines 15-33); and the subscriber's call attempts are inhibited in the second network element (AN) if the result of the priority class analysis permits it (fig. 6, and 20, col. 6 lines 15-33).

Regarding claim 6, Bolon et al. further discloses method as defined in claim 5, wherein in the case of a terminating call, the inhibition of the subscriber's call attempt in the second network element (AN) is cancelled (fig. 6, col. 5 lines 21-48); and the call is set up in the normal manner (fig. 6, col. 5 lines 21-67).

Regarding claim 7, Bolon et al. further discloses method as defined in claim 6, wherein the interface (V5) is a V5.2 interface (col. 12 lines 45-67).

Regarding claim 8, Bolon et al. discloses system for clearing an overload situation in a telecommunication system (abstract, fig. 2-3) comprising:

- a) a first network element (LE) (#28 fig. 2);

Art Unit: 2683

- b) a second network element (AN) (#26 fig. 2);
- c) subscriber ports (1; 11, 12, 13, . . .) comprised in said network elements (LE, AN) (fig. 3, col. 12 lines 38-44); and
- d) an interface (V5) connecting the subscriber ports of the first network element (LE) to the subscriber ports of the second network element (AN) (#28 fig. 3, col. 3 lines 54-65),

in which telecommunication system:

a subscriber's call attempt is transmitted by the second network element (AN) to the first network element (LE) (fig. 2-3, col. 5 lines 4-67);

Regarding claim 9, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 10, this claim is rejected for the same reason as set forth in claim 5.

Regarding claim 11, this claim is rejected for the same reason as set forth in claim 7.

Regarding claim 12, Bolon et al. further discloses system as defined in claim 11, wherein the telecommunication system is a telephone exchange system (fig. 2).

Regarding claim 13, Bolon et al. further discloses system as defined in claim 12, wherein the first network element (LE) is a telephone exchange (fig. 2).

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Art Unit: 2683

Washington, D.C. 20231

Or faxed to:

703 308-9051, (for formal communication intended for entry)

Or:

(703) 305-9509 (for informal or draft communications, please label

"PROPOSED" OR "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA. Sixth floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Nguyen whose telephone number is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Joseph Nguyen



Aug. 5, 2004



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600